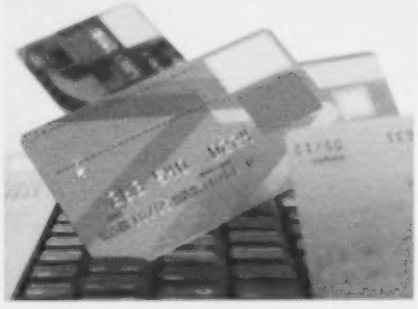
Office of the Privacy Commissioner of Canada

2012-13

Departmental Performance Report

Original signed by

The Honourable Peter MacKay, P.C., M.P.
Minister of Justice and Attorney General of Canada



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Message from the Privacy Commissioner of Canada

I am pleased to present the *Departmental Performance Report* of the Office of the Privacy Commissioner of Canada (OPC) for the fiscal year ending March 31, 2013.

This year, we boosted our research efforts and supported those of our partners in order to quickly detect new privacy risks and better understand Canadians' concerns. Thanks to our knowledgeable technology analysis laboratory team, we were able to take informed positions on privacy practices relating to mobile devices, cloud computing and government database security. We also worked with experts in examining issues related to unmanned aerial vehicles and the relevance of genetic analyses for insurers.

We simplified some of our complaint processes and promoted early mediation or resolution when appropriate. We offered practical advice on how to conduct Privacy Impact Assessments (PIAs) while reviewing certain priority PIAs more closely. During the year, we also carried out and completed an audit of the Department of Veterans Affairs and started others dealing with the Financial Transactions and Reports Analysis Centre of Canada and the Canada Revenue Agency.

We were greatly concerned by the misplacement of personal information belonging to over 500,000 Canadians by Human Resources and Skills Development Canada. Therefore, we launched an investigation and plan to examine federal organizations' use of portable electronic storage devices.

The Office is constantly looking for ways to become more efficient and productive. Therefore, we implemented a systematic change management approach in planning our upcoming move and the renewal of our learning management program. Also, to broaden the scope of our efforts, we regularly collaborate with provincial and international partners.

The significance of what we have achieved this year clearly shows that the Office of the Privacy Commissioner continues to be relevant and respected. As my mandate at the helm of this enviable institution nears its end, I only have the highest of hopes for Canadians.

Original signed by

Jennifer Stoddart
Privacy Commissioner of Canada

Section I: Organizational Overview

Raison d'être

The mandate of the Office of the Privacy Commissioner of Canada (OPC) is to oversee compliance with the *Privacy Act*, which covers the personal information-handling practices of federal government departments and agencies, the *Personal Information Protection and Electronic Documents Act* (PIPEDA), Canada's private-sector privacy law, along with some aspects of Canada's anti-spam law. The OPC's mission is to protect and promote the privacy rights of individuals[1].

Responsibilities

As an Agent of Parliament, the Privacy Commissioner of Canada reports directly to the House of Commons and the Senate. The Commissioner's powers to further the privacy rights of Canadians include:

- investigating complaints, conducting audits and pursuing court action under the *Privacy Act* and PIPEDA;
- publicly reporting on the personal information-handling practices of public- and private-sector organizations;
- supporting, undertaking and publishing research into privacy issues; and,
- promoting public awareness and understanding of privacy issues.

The Commissioner works independently of the government to investigate complaints from individuals with respect to the federal public sector and the private sector. While the focus is on mediation and conciliation, the Commissioner has the power to summon witnesses, administer oaths, and compel the production of evidence. In cases that remain unresolved, and in instances identified in the relevant legislation, the Commissioner may seek an order from the Federal Court to address the situation, if voluntary co-operation does not result.

Strategic Outcome and Program Alignment Architecture

In line with its mandate, the OPC pursues the protection of individuals' privacy rights as its Strategic Outcome. Toward that end, the Office's Program Alignment Architecture (PAA)[2] is composed of three operational programs and one management program. The PAA diagram below presents information at the program level as the OPC has no sub-program level:

<table>
<tr><td>Strategic Outcome</td><td colspan="3">The privacy rights of individuals are protected.</td></tr>
<tr><td rowspan="2">Program</td><td>1. Compliance Activities</td><td>2. Research and Policy Development</td><td>3. Public Outreach</td></tr>
<tr><td colspan="3">4. Internal Services</td></tr>
</table>

[1] Reference is made to "individuals" in accordance with the legislation.

[2] The Treasury Board *Policy on Management Resources and Results Structure* was amended in April 2012 resulting in changes in its nomenclature. Specifically, "Program Activity Architecture" becomes "Program Alignment Architecture"; "Program Activity" becomes "Program"; "Sub-activity" becomes "Sub-program"; and, "Sub-sub-activity" becomes "Sub-sub-program".

Organizational Priorities

In 2012–13, the OPC identified three organizational priorities. The following table describes how each organizational priority contributes to the Strategic Outcome, and presents a summary of the progress made during the reporting period toward achieving each priority. More detailed performance information about accomplishments is provided in Section II – Analysis of Programs by Strategic Outcome.

Summary of Progress against Priorities

Priority	Type[3]	Strategic Outcome
1. Fully implement new service delivery models to maximize results for Canadians.	Previously committed to	This priority is linked to the OPC's single Strategic Outcome: The Privacy rights of individuals are protected.

The OPC concluded the integration of fundamental changes to its processes and systems introduced the previous year, enabling it to exercise its mandate more effectively and ultimately to better serve Canadians. The case management redesign project was completed, aligning system functionality with revised business processes. The *Privacy Act* Investigations Modernization project entered its implementation phase, strengthening the investigation process with a number of strategies and initiatives. An online complaint form was introduced to facilitate the complaint process under both *Privacy Act* and PIPEDA. The Privacy Impact Assessment review process was also streamlined to make the handling of PIAs more effective and efficient.

Work continued in order to adapt the OPC mandate in accordance with new and expected legislative developments. While Canada's anti-spam legislation is still not in force, the Office has been actively preparing to respond to its new enforcement responsibilities. The OPC continued to collaborate with its partner institutions through various interdepartmental working groups to ensure an effective and coherent implementation process and developed a draft Memorandum of Understanding with the Canadian Radio-television and Telecommunications Commission and the Competition Bureau to coordinate enforcement action between the three agencies. Internally, the OPC continued to prepare for its new role through such things as developing investigation scenarios and operational processes. The Office also increased the capacity of its laboratory facilities to provide timely and relevant support to the organization in carrying-out its responsibilities. Work will continue in 2013–14 to prepare for the coming into force of Canada's anti-spam legislation.

Although the OPC did not appear before Parliament on Bill C-12, *An Act to amend the Personal Information Protection and Electronic Documents Act*, the Office prepared its submission and stands ready to appear if/when called. Looking further ahead to the second mandated review of PIPEDA, the OPC developed a position paper setting out a case for reform.

The OPC cooperated with Canadian and international stakeholders to address global privacy issues in a more coordinated and effective manner. The Office organized a meeting of international enforcement authorities to promote greater enforcement cooperation, entered into new information-sharing Memoranda of Understanding, and successfully carried out several joint initiatives with provincial and international partners.

[3] Type is defined as follows: **previously committed to** – committed to in the first or second fiscal year prior to the subject year of the report; **ongoing** – committed to at least three fiscal years prior of the report; and **new** – newly committed in the reporting year of the RPP or DPR.

Priority	Type	Strategic Outcome
2. Provide leadership to advance the four priority privacy issues (information technology, public safety, identity integrity and protection, and genetic information) for Canadians.	Ongoing	This priority is linked to the OPC's single Strategic Outcome: The Privacy rights of individuals are protected.

In 2012-13, the Office built more knowledge and capacity in the four priority privacy areas through the work of its cross-functional working groups and projects funded by the Contributions Program. The priority privacy issues continued to be integrated into all of OPC's activities.

Identity Integrity and Protection: The OPC issued guidance directed at application developers to promote good privacy practices in the development of mobile applications; a video game and privacy fact sheet; as well as guidance on cloud computing for small- and medium-sized enterprises. The Office undertook internal research on predictive analytics and data brokers.

Genetic Information and Privacy: The OPC issued a fact sheet, commissioned research papers and organized a roundtable to help OPC understand whether results of genetic analyses are relevant to life and health insurance companies. Informed by the results of the research and the roundtable discussion, the OPC will develop a position on the issue.

Information Technology: Research papers on drones, "bring your own device" (BYOD) and facial recognition were completed to inform and support OPC's ongoing work.

Public Safety and Privacy: The OPC actively intervened on Canada-US border security measures via a special Beyond the Border Task Force established across the organization to ensure coordinated responses to the public, parliamentarians, media and other federal departments. The Office also actively pursued (conducted in-house research and commissioned external) research into the issue of authorities' access to personal information and measures to ensure adequate security and protection of government data banks (cyber-security).

A number of innovative and strategic approaches were used to translate knowledge on the four priority privacy issues into concrete outcomes for Canadians and organizations. The results of research projects funded under the OPC's Contributions Program were made more accessible and searchable on a revamped research portion of the OPC's website. A number of channels were used to disseminate research results of the Contribution Program. For example, the first "Pathways to Privacy" Symposium was held in May 2012 to showcase privacy-related research and public education projects funded by the Office's Program and other collaborating federal funding agencies. In addition, a new magazine-style publication entitled "Real Results" was developed featuring the concrete outcomes of selected projects funded under the program.

The Office's survey of Canadians in 2012-13 also covered questions in all four priority areas, and the findings were shared publicly to raise awareness of the issues.

3. Sustain organizational capacity through continuous improvement.	Ongoing	This priority is linked to the OPC's single Strategic Outcome: The Privacy rights of individuals are protected.

In 2012-13 the OPC completed the development of its new Electronic Documents and Records Management System and training module to strengthen and facilitate the management of information assets and knowledge transfer across the Office. The implementation of this new system is occurring in early 2013-14.

The Office improved knowledge transfer and enhanced collaboration opportunities through an increased use of SharePoint collaboration sites within specific groups and across the organization. A number of cross-branch working groups were also created to deal with issues in a coordinated and integrated manner. For example, the Privacy Accountability Working Group was created and chaired by the Office's Chief Privacy Officer, to ensure that OPC's internal privacy practices comply with the Commissioner's expectation that our Office serve as an exemplary model for others. The Horizontal Integration Forum was also inaugurated this past year with the goal of more effectively managing and integrating risks and opportunities, improving coordination across operational branches and enhancing the quality of advice to the Commissioners.

The Office also held 17 internal OPC speakers' series sessions called "Privacy Conversations" on a wide range of topics. The Office revised its outreach strategy to enhance knowledge transfer with the Toronto office, to ensure it provides relevant and timely guidance to stakeholders and channels input received from stakeholders back to OPC staff.

The change management strategy was implemented to strengthen the Office's capacity to manage and lead change. Mandatory training sessions were given to staff and the strategy was applied to concrete projects of varying complexity and size, notably the move of the OPC headquarters planned for the fall of 2013, the streamlining of the Privacy Impact Assessment process and the *Privacy Act* Investigations Modernization Project.

Work will continue in 2013–14 to evaluate how the Office is embracing change in its management practices.

Risk Analysis

Key Business Risks

Risk	Risk Response Strategy	Link to Program Alignment Architecture	Link to Organizational Priorities
Risk that the organization will not be sufficiently responsive in light of rapid evolutions in the privacy world and continuously increasing workload. This risk was identified in the 2012–13 RPP.	The Office mitigated this risk by implementing a change management strategy and focusing on building enhanced internal capacity through training and information-sharing. These efforts proved effective, for instance, when handling the influx of requests and complaints due to the recent HRSDC privacy breaches.	• The privacy rights of individuals are protected	• Fully implement new service delivery models to maximize results for Canadians • Sustain organizational capacity through continuous improvement

Risk	Risk Response Strategy	Link to Program Alignment Architecture	Link to Organizational Priorities
Risk that the organization will not implement its new responsibilities under Canada's anti-spam law in a way that meets Canadians' expectations. This risk was identified in the 2012–13 RPP.	While this legislation did not come into force in 2012–13, the OPC continued to work collaboratively with enforcement partners to ensure an effective and coherent implementation process; worked internally to develop investigations scenarios and operational processes; and, invested in its laboratory facilities to ensure timely and relevant support to the organization once the legislation comes into force.	• The privacy rights of individuals are protected	• Fully implement new service delivery models to maximize results for Canadians
Risk that the OPC's capacity to respond to complaints and information requests will not meet enhanced service standards in the face of increasing demands and expectations. This risk was identified in the 2012–13 RPP.	The Office worked to mitigate this risk by improving and streamlining its business processes and strategically allocating its resources to its core business functions. As a result the OPC managed a 10% increase in volume of information requests while exceeding its target for service standards at a rate of 95 percent. Furthermore, efforts to modernize the investigations process enabled the Office to make greater use of Early Resolution to resolve complaints.	• The privacy rights of individuals are protected	• Fully implement new service delivery models to maximize results for Canadians • Sustain organizational capacity through continuous improvement

Four risks were identified in the 2012–13 *Report on Plans and Priorities* (RPP) and were effectively managed. Three of these risks are discussed in the risk table above as they directly affect the OPC's ability to meet its organizational priorities. The fourth risk identified was that the Office would not have complete or sufficient information to support effective operations and decision-making in an increasingly complex environment. Indeed the ever-increasing volume of business activities, the inevitable turnover in staff in the highly specialized field of privacy and the interconnected privacy issues pointed to the need to better retain, manage and share the information on which decisions are made. To help mitigate this risk the Office increased its use of SharePoint collaboration sites and revamped its Case Management System to strengthen the integrity of intake and investigations data. The Office also created a Horizontal Integration Forum to effectively manage and integrate risks and opportunities, improve coordination across operational branches and ultimately enhance the quality of advice to the Commissioners.

External Factors

Information technology innovations continued to unfold rapidly. Various trends proved to have significant implications for the work of this Office, including: mobile applications, cloud computing, facial recognition, online behavioural advertising, social networking, government

administrative consolidation, government analytics, unique citizen credentials as well as national security and public safety related initiatives.

The sheer complexity and interconnectivity of information systems, the proliferation of personal mobile devices and the new web 2.0 all required the Office to maintain highly specialized capacity and expertise to keep pace with technological advances.

The speed of innovation in the private sector meant that privacy implications were not always taken into proper consideration by organizations, which translated into an increased risk of inappropriate uses and data breaches. The increasing capacity of advertisers and website operators to collect, store and aggregate data at minimal cost challenged our traditional concepts of what constitutes personal information and what is or is not identifiable. We observed that the federal government is taking advantage of increasingly powerful analytic tools in order to learn more about Canadians and to meet pressing public needs. In addition, we noted an increasing number of public-private partnerships that involve the sharing of personal information.

Further, the number of very young children online is increasing and social media has emerged as the new and preferred way of communicating among youth. These trends increased the need for effective public education and outreach so that youth, parents and educators can understand the full implications of the new digital world and make informed choices.

On the public sector front, the government is actively going ahead with technological consolidation initiatives that are changing the landscape of personal information management.

National security and public safety concerns continued to take priority in Canada and internationally. The increasing involvement of the private sector in assisting governments with law enforcement efforts required an ongoing analysis of policies and proposed legislation to determine their reasonableness and effect on privacy.

Increasing globalization and trans-border data flows continued to challenge the jurisdictional limits of individual national data protection authorities. This required new mechanisms for sharing information between them and coordinating enforcement efforts in order to more effectively address international privacy issues.

Summary of Performance

Financial Resources – Total ($ thousands)

Total Budgetary Expenditures (Main Estimates) 2012-13	Planned Spending 2012-13	Total Authorities (available for use) 2012-13	Actual Spending (authorities used) 2012-13	Difference (Planned vs. Actual Spending)
24,606	24,606	26,372	25,539	(933)

The increase between Planned Spending and Total Authorities during 2012–13 represents funding received to deal with the new investigative workload resulting from the passage of Canada's anti-spam legislation (for more details, please refer to the Expenditure Profile section of this report).

Human Resources (Full Time Equivalents)

Planned 2012-13	Actual 2012-13	Difference 2012-13
176	173	3

As of March 31, 2013, the Office had 173 employees. The variance of 3 full-time equivalents is attributed in part to the delayed staffing of vacant positions and to normal staff turnover.

Performance Summary Table for Strategic Outcome and Programs ($ thousands)

Strategic Outcome: The privacy rights of individuals are protected.

Program	Total Budgetary Expenditures (Main Estimates 2012-13)	Planned Spending			Total Authorities (available for use) 2012-13	Actual Spending (authorities used)			Alignment to Government of Canada Outcomes
		2012-13	2013-14	2014-15		2012-13	2011-12	2010-11	
Compliance Activities	10,366	10,366	11,154	10,950	11,901	11,943	11,572	9,938	N/A*
Research and Policy Development	5,195	5,195	4,622	4,547	4,898	4,023	3,931	3,320	
Public Outreach	3,969	3,969	3,152	3,094	3,364	3,473	2,985	3,283	
Strategic Outcome Sub-Total	**19,530**	**19,530**	**18,928**	**18,591**	**20,163**	**19,439**	**18,488**	**16,541**	

* The Commissioner is independent from government and reports directly to Parliament. Therefore, the Office is not required to report against the Government of Canada Outcomes. The three Programs all align with the OPC's Strategic Outcome of ensuring that the privacy rights of individuals are protected.

Performance Summary Table for Internal Services ($ thousands)

Internal Services	Total Budgetary Expenditures (Main Estimates 2012-13)	Planned Spending			Total Authorities (available for use) 2012-13	Actual Spending (authorities used)		
		2012-13	2013-14	2014-15		2012-13	2011-12	2010-11
	5,076	5,076	10,172	5,713	6,209	6,100	7,655	6,383
Sub–Total	**5,076**	**5,076**	**10,172**	**5,713**	**6,209**	**6,100**	**7,655**	**6,383**

Total Performance Summary Table ($ thousands)

Strategic Outcome and Internal Services	Total Budgetary Expenditures (Main Estimates 2012-13)	Planned Spending			Total Authorities (available for use) 2012-13	Actual Spending (authorities used)		
		2012-13	2013-14	2014-15		2012-13	2011-12	2010-11
	24,606	24,606	29,100	24,304	26,372	25,539	26,143	22,924
Total	**24,606**	**24,606**	**29,100**	**24,304**	**26,372**	**25,539**	**26,143**	**22,924**

The OPC Main Estimates and Planned Spending amounts increased by $4.5M from 2012–13 ($24.6M) to 2013–14 ($29.1M) and stabilized in 2014–15 ($24.3M). The significant increase between 2012–13 and 2013–14 is mainly due to the repayable loan of $4.1M related to the relocation of the OPC headquarters.

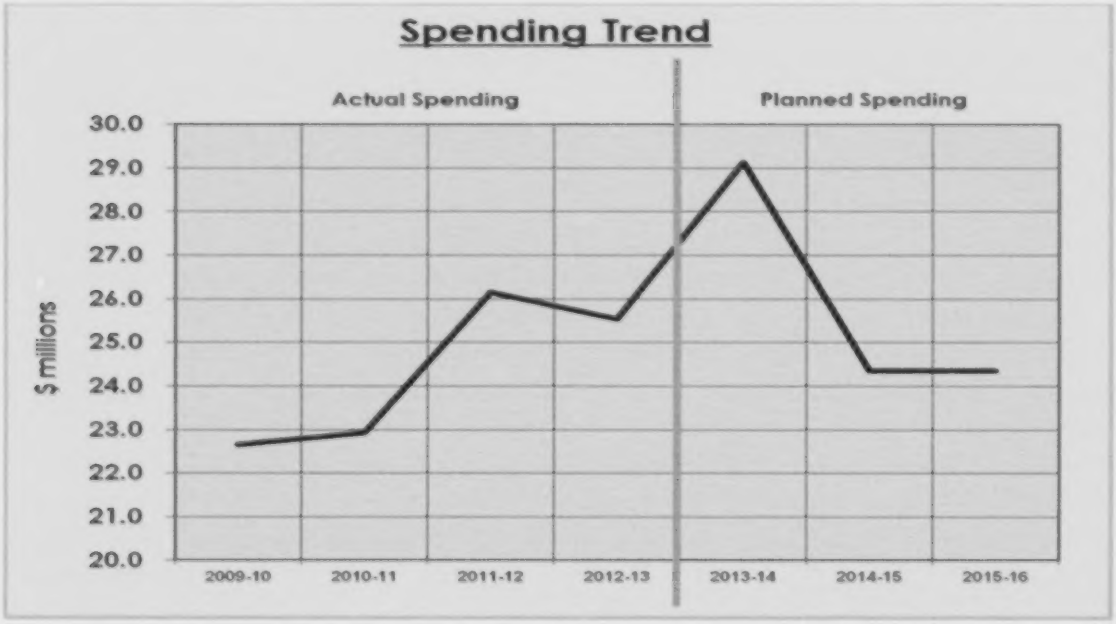
Total authorities in 2012-13 ($26.4M) include funding related to the operating budget carry forward as well as the reimbursement of eligible pay list expenditures.

The 2011–12 actual spending increased by $3.2M compared to 2010–11. This increase was essentially due to the new investigative workload resulting from the passage of Canada's anti-spam law in December 2010.

However, the 2012–13 actual spending has decreased by $0.6M from 2011–12. This decrease is mainly due to the continuous efforts to enhance the OPC's internal capacity in resolving investigations under both the Privacy Act and PIPEDA.

Expenditure Profile

The graph below illustrates the OPC's spending trend over a seven-year period. It shows an increase of approximately $2.9M in expenditures over the period of 2009-10 to 2012-13 mainly from the new funding for Canada's anti-spam legislation as well as for the reimbursement of eligible pay list expenditures. Subsequently the funding for 2013-14 shows a significant increase of approximately $4.5M mainly due to the one-time funding received for the headquarters relocation. This increased spending is to be mostly for the office set up and equipment as well as the new technology infrastructure. The spending trend starting in 2014-15 and ongoing reflects the reductions related to the Deficit Reduction Action Plan resulting from the OPC's efforts to find efficiencies within its operations and use of resources.



Estimates by Vote

For information on the Office of the Privacy Commissioner of Canada's Votes and/or statutory expenditures, please see the *Public Accounts of Canada 2013 (Volume II)*. An electronic version of the Public Accounts 2013 is available on the Public Works and Government Services Canada's website.

Section II: Analysis of Programs by Strategic Outcome

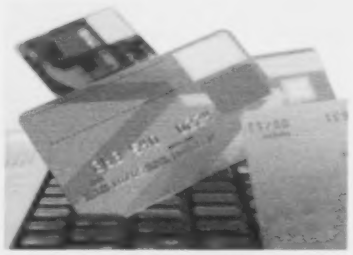
Strategic Outcome

Strategic Outcome: The privacy rights of individuals are protected. ***Ultimate Outcome for Canadians***: Through OPC's leadership, Canadian federal government institutions and private-sector organizations better respect the privacy rights of individuals and better protect their personal information.		
Performance Indicator	**Target**	**Actual Results**
Extent and direction of change in the privacy practices of federal government institutions and private-sector organizations	3 on a scale of 1 to 5 (3 represents "some preparatory steps to progress toward positive change" from the baseline of 2010–11 may be observed by March 31, 2012)	Actual results under the OPC's programs described below demonstrate progress towards the Office's Strategic and Ultimate Outcomes. As such the OPC no longer uses this indicator.

Programs

Program 1: Compliance Activities

The OPC is responsible for investigating privacy-related complaints and responding to inquiries from individuals and organizations. Through audits and reviews, the OPC also assesses how well organizations are complying with requirements set out in the two federal privacy laws, and provides recommendations on Privacy Impact Assessments (PIAs), pursuant to Treasury Board policy. This activity is supported by a legal team that provides specialized advice and litigation support, and a research team with senior technical and risk-assessment support.



Financial Resources ($ thousands)

Total Budgetary Expenditures (Main Estimates) 2012-13	Planned Spending 2012-13	Total Authorities (available for use) 2012-13	Actual Spending (authorities used) 2012-13	Difference 2012-13
10,366	10,366	11,901	11,943	(1,577)

The actual spending includes reallocations between activities to better reflect Program activity spending.

Human Resources (FTEs)

Planned Spending 2012-13	Actual Spending 2012-13	Difference 2012-13
87	79	8

Performance Results

Expected Results	Performance Indicators	Targets	Actual Results
Intermediate Outcome			
Federal government institutions and private-sector organizations meet their obligations under federal privacy legislation and implement modern practices of personal information protection.	Percentage of investigation recommendations implemented within set timelines	90 percent	By the end of 2012–13, **82.5 percent** of investigation recommendations issued in 2011–12 had been implemented within set timelines. Follow-up on recommendations, as well as ongoing outreach, with the 250 federal institutions that fall under the authority of the *Privacy Act* and private sector organizations under PIPEDA continue in order to address compliance.
	Percentage of audit recommendations fully implemented two years after publication of the final audit report	75 percent	**97.6 percent** of audit recommendations made in 2010–11 have been fully implemented. In 2012–13, the OPC followed up on two audits that were completed in 2010–11 and 1 audit that was completed in 2011–12[4] to determine how many of the recommendations made had been implemented. Of the 41 recommendations made, 40 had been fully implemented with one substantially implemented.
Immediate Outcomes			
Individuals receive responses to their information requests and complaints.	Percentage of information requests responded to within established service standards	90 percent	Information requests were responded to within the service standards at a rate of **95 percent**. This rate was somewhat lower for information requests received in writing, as additional quality control measures were put in place for these requests. The service standards for written requests may be examined in the future to find the right balance between quality responses and timeliness of responses.
	Percentage of complaints resolved through early-resolution strategies, where no formal investigation is commenced	20 percent	By the end of 2012–13, **40.5 percent** of complaints had been resolved through early resolution strategies. Early resolution is the first option considered in the complaint investigation process and has successfully and quickly addressed a significant amount of less complicated and/or less egregious complaints.
	Percentage of complaints responded to	95 percent	By the end of 2012–13, **77.5 percent** of complaints had been responded to within 12 months.

[4] Audit reports made public were: Personal Information Disposal Practices in Selected Federal Institutions (October 5, 2010); the Protection of Personal Information in Wireless Environments (October 5, 2010); and Staples Business Depot (June 21, 2011).

Expected Results	Performance Indicators	Targets	Actual Results
	within 12 months of acceptance[5]		The Office experienced a significant increase in the complexity and volume of new complaints with associated consequences for response times. As well, PA results have been directly affected by chronic delays in responses from several departments and agencies to complaints that are beyond the OPC's control. The average complaint response time for PIPEDA investigations increased slightly from 8.2 months in 2011 to 8.3 months in 2012. During this time period, there was a significant decrease in the response time for formal complaints investigations (from 14.3 months in 2011 to 12.6 months in 2012) and a slight increase in the response time for early resolved complaints. The average complaint response time for PA Investigations increased from 5.7 months in 2011–12 to 6.7 months in 2012–13. The implementation of the PA modernization process is continuing and further potential improvements are being assessed, including their effect on treatment times.
Federal government institutions and private-sector organizations receive advice and recommendations to improve their privacy practices, in compliance with federal privacy legislation and policies.	Percentage of PIA consultations/ recommendations that result in an added privacy protection for government programs/ initiatives	75 percent	During 2012–13, the OPC reviewed 49 PIAs for initiatives that involved privacy risks, and sent letters outlining recommendations for enhancing the privacy protections of the proposed initiatives. By March 31, 2013, the OPC had received 16 written replies from federal institutions that responded to the OPC guidance; all of them agreed to adopt additional privacy-protection measures or to revisit their initiatives (i.e. **100 percent**). The Office continues to monitor initiatives that pose significant risks to privacy.
	Percentage of audits completed within planned timelines	90 percent	All four approved audits and follow-ups to audits completed in 2012–13 were completed within timelines (i.e. **100 percent**)[6].

[5] The information relating to PIPEDA files is for the calendar year (from January 1, 2012 to December 31, 2012) while the data for *Privacy Act* files is for the fiscal year (from April 1, 2012 to March 31, 2013)

[6] The audit of Veterans Affairs Canada was made public in 2012-13. The OPC also followed-up on the audits of:

- Personal Information Disposal Practices in Selected Federal Institutions (2010)
- The Protection of Personal Information in Wireless Environments: an Examination of Selected Federal Institutions (2010)
- Staples Business Depot (2011)

Expected Results	Performance Indicators	Targets	Actual Results
	Percentage of PIA reviews completed within 120 days of receipt	70 percent	As a result of an internal audit of how PIAs are reviewed and assessed at the OPC, it was recommended that the approach for the performance measure related to the completion of PIA reviews be reviewed. A new performance measure based on the recently streamlined PIA review process will be published in the 2014–15 *Report on Plans and Priorities*.

Performance Analysis and Lessons Learned

The Office continued providing services directly to Canadians, reviewing PIAs, conducting audits, investigating complaints and sharing information about rights and responsibilities under federal privacy law. Efforts were made to continually improve services, through the training of staff, the development of resources, new processes and procedures, and tools and technologies. The Office demonstrated this capacity, in particular, by putting measures into place to handle the influx of requests and complaints due to the Human Resources and Skills Development Canada breaches, which affected more than half a million Canadians.

In calendar year 2012, 21% more formal PIPEDA investigations were concluded than in the previous year and handling times for formal complaint investigations were reduced by 12%. Early resolution strategies successfully addressed nearly half of all PIPEDA complaints accepted. Over 900 *Privacy Act* complaints were closed in 2012–13, comparable with the previous year, but significantly more through early resolution. These efforts were offset, however, by a marked increase in complaints accepted that were complex and resource-intensive and this resulted in handling times going up. Strategies to address these issues are part of the PA modernization process being implemented, in addition to outreach efforts with departments and agencies.

The *Privacy Act* and PIPEDA complaint intake and investigation processes were strengthened through a number of strategies, including the introduction of an online complaint form, an enhanced triage process, and the use of a proportionate and interest-based approach to handling *Privacy Act* complaints and data breach reports. Efforts in both *Privacy Act* and PIPEDA focused on a greater use of early resolution and other alternative resolution strategies to improve the timely conclusion of complaints and on identifying complaints that raise serious and broad systemic issues. It is noteworthy that the introduction of the online complaint form was understandably followed by an increase in complaint volumes given that the tool provided Canadians with greater ease of access to the complaint system.
The capability of the Case Management System was enhanced by aligning it with revised business processes and streamlining it to focus on key information. Quality control mechanisms were implemented to improve the quality of data created in the course of investigations. Work began on leveraging the enhanced capabilities of the Case Management System to support management decision-making through the development of a new dashboard performance reporting tool, which is expected to be implemented in 2013–14.

The OPC published an audit of Veterans Affairs Canada (October 2012) and completed the examination work for the audits of FINTRAC and the Canada Revenue Agency. These two audits will be published in 2013–14. The Office also completed follow-ups to the following

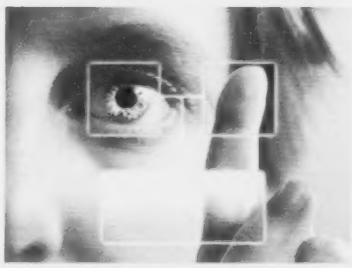
previously conducted audits: the Personal Information Disposal Practices in Selected Federal Institutions Audit; the Protection of Personal Information in Wireless Environments Audit; and Staples Business Depot Audit.

Select reviews of Privacy Impact Assessments (PIAs) were undertaken using a triage method focusing on compliance-related issues pertaining to the OPC's four priority privacy issues. PIAs related to the Beyond the Border Initiative were a priority for the Office this year. Workshops were also delivered to federal government institutions, offering practical, hands-on guidance on how to conduct PIAs and assess risks to privacy.

New processes and procedures were put in place to enable the Office to share information and perform joint and collaborative investigations with provincial and international data protection agencies. For example, two new information-sharing Memoranda of Understanding were signed with the United Kingdom's Information Commissioner and the Dutch data protection Commissioner. The Office also performed a first-ever international joint privacy investigation with the Dutch Data Protection Authority regarding the handling of personal information by WhatsApp Inc., a California-based mobile app developer, and participated in a joint engagement along with provincial counterparts in Alberta, British Columbia and Quebec to assess the circumstances surrounding a breach at LinkedIn.

The marked increase in complexity of complaints means that the OPC will need to focus efforts on dealing with systemic issues and exploring new approaches to ensure continued value for Canadians. If the Office can further streamline its processes and continue to develop its capacity to analyze aggregate data from its systems, it will be in a position to provide even better service to Canadians in the years ahead.

Program 2: Research and Policy Development



The OPC serves as a centre of expertise on emerging privacy issues in Canada and abroad by researching trends and technological developments, monitoring legislative and regulatory initiatives, providing legal, policy and technical analyses on key issues, and developing policy positions that advance the protection of privacy rights. An important part of the work involves supporting the Commissioner and senior officials in providing advice to Parliament on potential privacy implications of proposed legislation, government programs, and private-sector initiatives.

Financial Resources ($ thousands)

Total Budgetary Expenditures (Main Estimates) 2012-13	Planned Spending 2012-13	Total Authorities (available for use) 2012-13	Actual Spending (authorities used) 2012-13	Difference 2012-13
5,195	5,195	4,898	4,023	1,172

The actual spending includes reallocations between activities to better reflect Program activity spending.

Human Resources (FTEs)

Planned Spending 2012-13	Actual Spending 2012-13	Difference 2012-13
19	23	(4)

Performance Results

Expected Results	Performance Indicators	Targets	Actual Results
Intermediate Outcome			
Public- and private-sector stakeholders are enabled to develop policies and initiatives that respect privacy rights.	Percentage of positive feedback from stakeholders about the usefulness of OPC policy guidance	70 percent	The percentage of positive feedback from stakeholders about the usefulness of OPC policy guidance will be measured through the OPC's biennial survey of businesses in 2013–14. In 2012, the OPC annual survey was of Canadians, not business, so this indicator was not collected for 2012-13. It will be included in the 2013-14 *Departmental Performance Report*. Below are transitory results. The OPC provided advice and information to parliamentarians and Canadians with respect to proposed legislation and participated in various domestic and international fora on a broad range of issues relating to accountability, drones (unmanned aerial vehicles), and internet and privacy. The Office commissioned two papers on the relevance of genetic information for the life and health insurance industry. This is an emerging area that poses significant privacy questions. The Office also held a roundtable on the topic with insurance industry representatives. The Office continued to work with its counterparts in Alberta and British Columbia to release guidance on accountability, cloud computing for small- and medium-sized enterprises, and mobile apps development. Working with our counterparts, who also have jurisdiction over the private sector, enables us to provide coordinated and consistent guidance. The OPC made submissions on two CRTC consultation processes. • The first was a CRTC proceeding to establish a mandatory code for mobile wireless services. In that case, the OPC supported the introduction of such a code, recommending that it explicitly point to obligations under PIPEDA. • The second CRTC proceeding was a consultation on matters related to 9-1-1 service. We advised that the next generation of technologies used for 9-1-1 service could potentially involve more personal information than is needed to provide the service and that appropriate privacy controls

Expected Results	Performance Indicators	Targets	Actual Results
			and safeguards will need to be in place. The OPC was consulted on the Treasury Board *Standard on Privacy and Web Analytics*, and was an observer during the development of the email Transformation Initiative privacy requirements. The OPC continued in its role as an observer on the Treasury Board Secretariat-led, interdepartmental working group that is developing a Breach Management Protocol for Health Information.
Immediate Outcomes			
Parliamentarians are able to draw on OPC expertise to identify and address privacy issues.	Percentage of bills and issues with a high or medium relevance to privacy that receive the OPC's views in the course of the legislative process	75 percent	During the fiscal year 2012–13, the Office reviewed 11 bills, provided two written submissions to Parliamentary standing committees, and made the following nine appearances before Parliament to provide views and advice on the privacy implications on new legislation, programs, and statutory reviews: • Bill C-27, *An Act to Enhance the Financial Accountability and Transparency of First Nations* (HoC, AANO, October 31, 2012); • Bill C-377, *An Act to Amend the Income Tax Act (requirements for labour organizations)* (HoC, FINA, November 7, 2012); • Bill C-45, *The Jobs and Growth Act 2012, Division 12 of Part 4 pertaining to advance passenger information and passenger name records* (API/PNR) (Senate, TRCM, November 28, 2012); • Bill C-55, *The Response to the Supreme Court of Canada Decision in R. v. Tse Act* (Senate, LCJC, March 25, 2013); • Study: 2012–13 Main Estimates (HoC, ETHI, April 26, 2012). • Study: OPC's Annual Reports (HoC, ETHI, April 26, 2012). • Study: Privacy and Social Media (HoC, ETHI, May 29 and December 11, 2012); • Special activity: Seminar on Protecting the Privacy Rights of Canadians (LoP, May 31, 2012). During the same period, we had 44 formal contacts and requests from parliamentarians (MPs and Senators) and parliamentary officers (committee clerks) as well. We also tabled in both Houses of Parliament the following documents: • PIPEDA Annual Report (June 5, 2012); • OPC's Access to Information / *Privacy Act* Annual Report (July 18, 2012); • *Privacy Act* Annual Report (October 4, 2012).

Expected Results	Performance Indicators	Targets	Actual Results
Knowledge about privacy issues is advanced.	Increased take-up of OPC research	Annual increase relative to previous year	The Office undertook a major project to update and consolidate all of its research on its web site to improve public access to important resources that the Office develops and funds. For example, we brought together in one location the links to the Contributions Program papers, our internal research papers and the companion papers to our earlier series of public armchair discussions on privacy issues entitled *Insights on Privacy*. This new research section of the OPC's website will also enable the Office to better analyze take-up of OPC research results in future years. The Office proactively researched and analyzed ground-breaking issues within its four privacy priority areas: information technology, public safety, identity integrity and protection, and genetic information. Research reports were prepared on: predictive analytics, the effect of surveillance on children, unmanned aerial vehicles (UAVs), "bring your own device" practices, data brokers, global trusted traveler initiatives and facial recognition. To supplement our in-house research, the OPC also commissioned expert research on the use of genetic information for insurance underwriting purposes. The Office's Contributions Program allocated nearly $500,000 for 11 projects in 2012–13. The projects touched on all four privacy priority areas of the OPC. Furthermore, there was an emphasis on making the research outcomes accessible, and researchers used a variety of approaches, such as workshops, forums, web sites and tools, or awareness materials, to share the results of their work. Some examples of the projects include: • A study of the privacy challenges emerging from innovations in cell therapy research; • An analysis of the scope of voluntary information sharing by private enterprises in law enforcement investigations into cybercrime; • The development of a series of in-depth news reports and other informational tools for French radio and web sites that provide practical information about protecting personal information; • An interactive mapping tool to help Canadians better understand cloud computing and its impact on their personal information; • An investigation of smartphone applications and the risks to end-user privacy; and, • A report on the positive and negative privacy implications of using information technology in situations involving domestic violence, sexual violence and stalking.

Expected Results	Performance Indicators	Targets	Actual Results
			A new publication entitled "Real Results" was issued highlighting the practical results of select cutting-edge projects and raising awareness about the positive impact they are having on promoting privacy protection in Canada. The Office held its first "Pathways to Privacy" Symposium in May 2012. The theme for the symposium was "Privacy for Everyone" and topics included: the changing landscape for youth, reaching diverse populations, cultural perspectives on privacy, and frontiers of identification and surveillance among different populations.

Performance Analysis and Lessons Learned

Although the second mandated review of PIPEDA has not yet occurred, the OPC continued to develop and refine its position on how the legislation could be reformed in order to make it more effective, especially in light of rapidly evolving technologies and business models.

Through its research, the Office deepened its foundational knowledge for advising Parliament, developing our policy positions, conducting investigations and promoting public awareness of privacy issues generally. The application of a "privacy lens" to events and trends in both the public and private sector helped to ground OPC compliance activities. The Office also issued guidance on a number of issues, either on its own or jointly with provinces/territories. These included guidance for mobile application developers, cloud computing for small- and medium-sized enterprises, emergency guidance, and video games and privacy.

The Privacy Commissioner led an expert group composed of representatives of government, academia and business that provided advice on proposed revisions to the Organisation for Economic Co-operation and Development (OECD) *Guidelines on the Protection of Privacy and Transborder Flows of Personal Data*. At the end of the reporting year, these proposals were before the OECD Council for final approval.

The Office ensured the timely assessment of emerging technologies and obtained additional knowledge by leveraging relationships with the Dutch Data Protection Authority and other members of the International Working Group on Data Protection in Telecommunications (more commonly known as the "Berlin Group").

Parliamentarians, businesses and individuals request and value advice and information from the OPC. The Office continued to align its work with its strategic priorities, and as a result, was able to respond to parliamentarians in a timely manner, and provide guidance and feedback to government, business and individuals on a number of emerging privacy issues. As we move forward, the Office will continue to align its policy and research work with emerging issues, to respond to stakeholder needs and to explore innovative ways to reach more audiences. With a view to providing streamlined guidance to organizations to help improve privacy practices generally, the OPC has endeavoured to consult, and collaborate where possible, on guidance with its provincial and territorial counterparts. We see the time and effort allocated to these consultation processes as a worthwhile investment as they enrich and extend the audience and reach of the guidance we develop.

Program 3: Public Outreach

The OPC delivers public education and communications activities, including speaking engagements and special events, media relations, and the production and distribution of promotional and educational material. Through public outreach activities, individuals are informed about privacy and personal data protection, enabling them to protect themselves and exercise their rights. The activities also allow organizations to understand their obligations under federal privacy legislation.

Financial Resources ($ thousands)

Total Budgetary Expenditures (Main Estimates) 2012-13	Planned Spending 2012-13	Total Authorities (available for use) 2012-13	Actual Spending (authorities used) 2012-13	Difference 2012-13
3,969	3,969	3,364	3,473	496

The actual spending includes reallocations between activities to better reflect Program activity spending.

Human Resources (FTEs)

Planned Spending 2012-13	Actual Spending 2012-13	Difference 2012-13
24	19	5

Performance Results

Expected Results	Performance Indicators	Targets	Actual Results
Intermediate Outcome			
Federal government institutions and private-sector organizations better understand their obligations under federal privacy legislation and individuals better understand their rights.	Percentage of participants in the annual OPC Privacy Impact Assessment (PIA) workshop who feel they acquired a better understanding of the requirement to assess privacy risks of federal programs	75 percent	Only 39 percent of attendees responded to a survey administered following our annual workshop. Of those, **44 percent** indicated that they acquired a better understanding of the requirement to assess privacy risks of federal programs. Upon reviewing the survey results, the Office changed the focus of its outreach work for 2013–14 to offer smaller, more collaborative sessions tailored to the knowledge level of participants.
	Percentage of private-sector organizations that are moderately or highly aware of their obligations under federal privacy legislation	85 percent	The OPC noticed an improvement in private-sector organizations' awareness of their obligations under PIPEDA in its 2011–12 survey of businesses. Nineteen percent rated their company as extremely aware of their responsibilities, in addition to a further 35 percent who claimed high awareness. In total, a slight majority (**54 percent**) offered positive scores above the mid-point on the scale, indicating a relatively high level of awareness of their privacy responsibilities. The previous survey showed 47 percent of businesses had a high degree of awareness of their obligations under PIPEDA.

Expected Results	Performance Indicators	Targets	Actual Results
			In the 2011–12 poll, respondents from 1,006 companies across Canada were asked to rate their company's awareness of its responsibilities under Canada's privacy laws. The next OPC survey of businesses will occur in 2013–14 and the results will be communicated in the 2013–14 *Departmental Performance Report.*
	Percentage of Canadians who feel they know about their privacy rights	20 percent	The OPC noticed a continued increase in Canadians' level of understanding of their privacy rights in its 2012 survey of Canadians: **thirty-five percent** of respondents described their knowledge of their privacy rights under the law as good or very good, thus exceeding an "average" level of understanding of their privacy rights. Previous surveys indicated a relatively steady increase in the level of understanding: 18 percent in 2005, 26 percent in 2006, 19 percent in 2007, 28 percent in 2009 and 30 percent in 2011. Twenty-nine percent said they were aware of a federal institution that helps Canadians deal with privacy and the protection of personal information. Some could identify the Office by name; others not specifically. The 29 percent is consistent with results from 2011 (31percent). Previous surveys have indicated this level of awareness was between 20 and 30 percent. The OPC surveys Canadians every two years to explore awareness, understanding and perceptions of privacy-related issues. In 2012, the survey was conducted by Phoenix SPI on behalf of the OPC with 1,513 respondents across Canada.
Immediate Outcomes			
Individuals have access to relevant and timely information to protect their privacy rights.	Annual increase in website visits	Visits to OPC websites increase year over year	The OPC website and main blog had a **20 percent increase** in traffic over the previous year, with an average of 264,808 visitors per month.
Federal government institutions and private-sector organizations have access to useful information about their privacy responsibilities.	Reach of target audiences with public education initiatives[7]	70 percent	This performance indicator was changed in the 2013–14 *Report on Plans and Priorities* (see footnote). Listed below are transitory results. The Commissioner, Assistant Commissioner and other OPC officials were **quoted extensively** in the media in 2012–13, due to the sustained interest of the press in privacy issues, both in Canada and abroad. The OPC issued **27 news releases** (more than two per

[7] A new performance indicator to measure federal government institutions and private sector organizations' ability to access useful information about their privacy responsibilities has been included in the 2013-14 *Report on Plans and Priorities*

Expected Results	Performance Indicators	Targets	Actual Results
			month) on a variety of issues related to privacy issues in both the public and private sectors. The Toronto office delivered over **100 outreach activities** – presentations and face-to-face meetings – to organizations and industry associations. OPC officials spoke at **88 public events** reaching both public and private sector audiences, at home and abroad.

Performance Analysis and Lessons Learned

Demand for information from the OPC (web visits, publications, public presentations, etc.) continued to rise and the biennial survey of Canadians demonstrated a continual increase in how individuals rate their knowledge of their privacy rights. The survey also enabled the OPC to further its understanding of Canadians's views about online privacy. One section was devoted to online privacy and the Office learned, for example, that Canadians are increasingly anxious about privacy in the face of new technologies and that 12 percent of Canadians have been negatively affected by information posted about them online.

The OPC contributed in a number of ways to public dialogue on policy and legislative initiatives affecting privacy.

- The Office made public an examination of the relevance of genetic information and the economic impact of banning its use by the life and health insurance industry.
- On matters of public safety, the OPC commented on the proposed lawful access legislation and on the North American perimeter security initiative.
- The OPC provided guidance on privacy practices of businesses using information technology (e.g., web leakages, cloud computing, behavioural advertising) via a number of communications efforts.
- On matters of identity integrity and protection, the OPC intervened in a Supreme Court decision involving privacy rights of children and protection against cyberbullying, and had the opportunity to comment on the decision. The Office continued its investigation work and addressed privacy shortfalls with Facebook and What'sApp.
- OPC technologists also participated in various panels such as the Messaging, Malware and Mobile Anti-Abuse Working Group and the Defence Research and Development Canada's Biometrics Security Workshop, to educate participants on topics such as biometrics and privacy, and risks and best practices for mobile devices.

This year the Office focused communication and outreach efforts on youth and their parents and educators; seniors; and new Canadians, as well as small- and medium-sized enterprises. For instance the Assistant Privacy Commissioner undertook a speaking tour of five cities in the Prairies and Atlantic regions to address small business audiences about cybersecurity and privacy responsibilities. A mobile app was also launched, offering advice on how to better protect privacy on mobile devices. The app is aimed at all users of smartphones and other mobile devices and in particular, new users of the technology, including older Canadians.

The Office launched a third presentation package, this one aimed at students in Grades 4-6; together, the three presentation packages provide useful advice and information for teachers of

students in Grades 4 through to 12. The OPC also undertook an outreach campaign targeting educators and librarians with a graphic novel, titled *Social Smarts*. The publication was launched and promoted, which resulted in distribution of over 31,000 hard copies to schools and libraries in every province and territory in Canada. The PDF version has also been downloaded over 35,000 times from our website.

The Office revised and expanded its outreach strategy targeted to industries in the private sector, participating in over 100 events in the last year. The augmented strategy also employs quarterly reports developed in the Toronto office to enhance information transference, ensuring guidance provided to stakeholders is timely and relevant, and that feedback is shared internally towards continual improvement of OPC materials.

Canadians care deeply about their privacy and have a continued interest in increasing their knowledge in order to better protect their privacy (as shown by our biennial survey and by their information requests and visits on our website). This demonstrates the importance of ensuring the OPC continues to expand its reach to Canadians and organizations, and to develop resources, tools and guidance that will help them. It will be equally important that the information is readily accessible via the website and communicated proactively to those audiences through the appropriate, targeted channels.

Program 4: Internal Services

Internal Services are groups of related activities and resources that support the needs of programs and other corporate obligations of an organization. As a small entity, the OPC's internal services include two sub-programs: governance and management support, and resource management services (which also incorporate asset management services). Communications services are not included in Internal Services but rather form part of Program 3 – Public Outreach. Similarly, legal services are not included in Internal Services at OPC, but are covered under Program 1 – Compliance Activities, and Program 2 – Research and Policy Development.

Financial Resources ($ thousands)

Total Budgetary Expenditures (Main Estimates) 2012-13	Planned Spending 2012-13	Total Authorities (available for use) 2012-13	Actual Spending (authorities used) 2012-13	Difference 2012-13
5,076	5,076	6,209	6,100	(1,024)

The actual spending includes reallocations between activities to better reflect Program activity spending.

Human Resources (FTEs)

Planned Spending 2012-13	Actual Spending 2012-13	Difference 2012-13
46	52	(6)

Performance Results

Expected Results	Performance Indicator	Target	Actual Results
The OPC achieves a	Percentage of the Management	70 percent	As an agent of Parliament, the OPC is not subject to a MAF assessment by the Treasury Board Secretariat

Expected Results	Performance Indicator	Target	Actual Results
standard of organizational excellence, and managers and staff apply sound business management practices.	Accountability Framework (MAF) areas rated strong or acceptable[8]		(TBS). Nonetheless, the Office conducts a comprehensive self-assessment exercise against the MAF biennially, and a status update on improvements in the intervening years. The OPC uses this exercise as a report card on its 'state of management'. This practice started in 2006–07. In January 2013, the OPC completed its fourth comprehensive self-assessment. The Office rated strong or acceptable in **100 percent** of the MAF areas of management. These were Values and Ethics, Internal Audit, Evaluation, Financial Management, Integrated Risk Management, and People Management.

Performance Analysis and Lessons Learned

In 2012–13, the Office worked towards achieving and maintaining a standard of organizational excellence and sound business management practices. The OPC implemented its change management strategy across the organization and promoted a uniform approach through mandatory training and internal communications. A commitment to apply this strategy also formed part of the executives' performance agreement. The application of the strategy to concrete projects, such as the move of OPC headquarters, enabled the Office to adequately engage with staff and obtain valuable feedback to improve the various change initiatives that occurred during the year.

In line with the talent management program, OPC-wide training was aligned to respond to operational/organizational needs. The Office also analyzed the Public Service Employee Survey results and conducted in-house focus groups to gather information, which was included in the development of an internal learning curriculum. The new Values and Ethics Code for the Public Sector came into effect April 2, 2012. Building on this, and following extensive consultation with its employees and Senior Management, the Office launched its own Values and Ethics Code in May 2012. Both these initiatives will carry forward into 2013–14 to ensure they are put into practice and adopted by managers and staff and fully imbedded into our activities.

Work on the Common Human Resources Business Process (CHRBP) continued to be a key file. To date, the Office has fully implemented two business processes (staffing and classification) and work is underway in two others.

The OPC fully integrated changes to the Office's organizational design introduced the previous year and continued to review structural and process changes aimed at improving organizational effectiveness. In particular, the Office reviewed compliance functions to ensure there are adequate resources to meet business requirements. The Information Centre was also further integrated as a source of early intelligence about Canadians' concerns, helping in the development of relevant and efficient communication strategies and tools.

[8] The Management Accountability Framework (MAF) is a key performance management tool that the federal government uses to: support the management accountability of deputy heads, and improve management practices across departments and agencies.

The OPC enhanced collaboration and facilitated knowledge building and knowledge transfer between staff through a number of initiatives:

- A Knowledge Transfer Guide was designed to provide staff with direction on how to ensure the effective transfer of expertise before a departure from the organization or to another area within the OPC;
- SharePoint collaboration sites were used to share information within specific groups and across the organization, for example, on training material, articles, committee work, media responses, events, web postings and public education initiatives. This tool was also used to enhance collaboration on key files, for example, the assessment of Contributions Program funding applications and the organization of the "Pathways to Privacy" symposium;
- Seventeen "privacy conversations" were held as part of a speakers series. These sessions enabled internal dialogue between OPC staff and specialized experts on topical issues;
- A concerted effort was made to improve the internal dissemination of research results from the OPC Contributions Program;
- The Office expanded the use of its new subject taxonomy, aimed at improving the standardization of terminology used throughout the Office, by incorporating it into the development of the new document management system;
- Training sessions were developed and provided to staff on several topics including: the federal legal framework, access to information, procedural fairness, leading privacy cases, jurisdictional issues, solicitor-client privilege, and the Parliament cabinet process. A Leadership and Team Building pilot course was also offered to enhance leadership skills and cooperation among various branches of the Office.

The Office introduced a number of quality control measures for written information requests to further improve the quality of responses to Canadians. The OPC also broadened the use of systems such as SharePoint and the new Information Center Ci2 module to enhance the capturing and sharing of, for example, media responses, and in order to examine trends in information requests, to influence the development of educational material and changes to our website.

The capacity of the Technology Laboratory was increased through the installation of equipment, and the development of procedures and processes in support of all research and investigative activities performed in the Technology Laboratory. The Laboratory's capacity will continue to evolve to meet the needs of the Office and to position the Office to meet its responsibilities when Canada's anti-spam legislation fully comes into force.

The move of OPC's headquarters from Ottawa to Gatineau scheduled for 2013–14 has proven to be an opportunity for the Office to review and re-think some of its administrative business processes with a view to optimizing them. In 2012–13, the OPC began to review business processes in light of the new facilities, available technologies and potential synergies with co-tenants at the new location. This work will continue in 2013–14.

Section III: Supplementary Information

The financial highlights presented in this section are drawn from the OPC's financial statements and have been prepared using Government of Canada accounting policies, which are based on Canadian public sector accounting standards.

Financial Statements Highlights

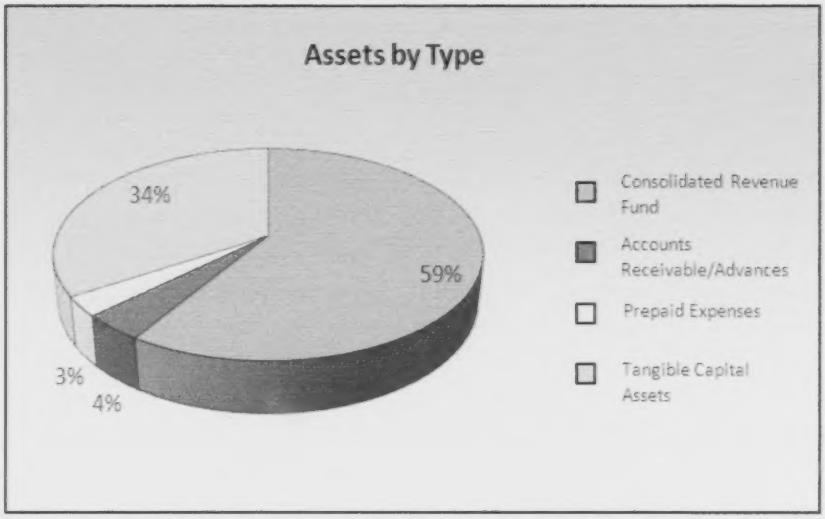
Condensed Statement of Operations and Net Financial Position

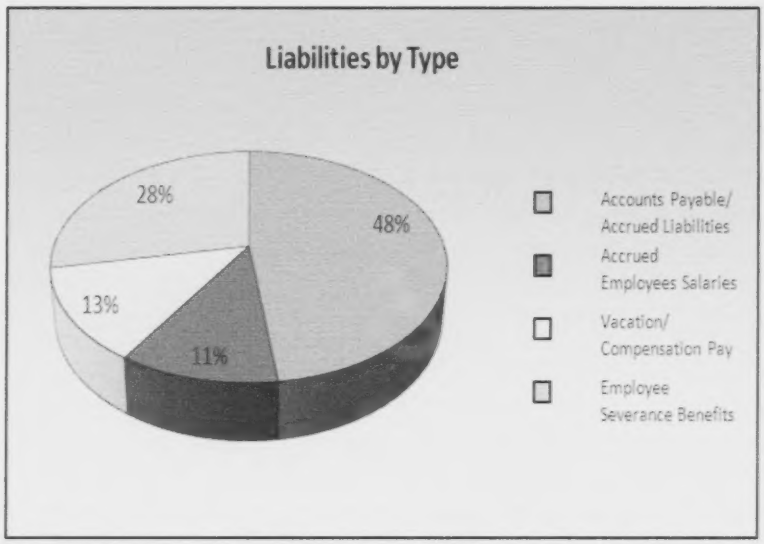
Office of the Privacy Commissioner of Canada Condensed Statement of Operations and Net Financial Position (Audited) For the Year Ended March 31, 2013 ($ thousands)					
	2012-13 Planned Results	2012-13 Actual	2011-12 Actual	$ Change (2012-13 Planned vs. Actual)	$ Change (2012-13 Actual vs. 2011-12 Actual)
Total expenses	**26,056**	**28,112**	**28,423**	**(2,056)**	**(311)**
Net cost of operations before government funding and transfers	**26,056**	**28,112**	**28,423**	**(2,056)**	**(311)**
Net financial position	**27**	**(325)**	**(903)**	**(352)**	**578**

Condensed Statement of Financial Position

Office of the Privacy Commissioner of Canada Condensed Statement of Financial Position (Audited) For the Year Ended March 31, 2013 ($ thousands)			
	2012-13	2011-12	Change $
Total net liabilities	4,622	5,386	(764)
Total net financial assets	2,699	2,998	(299)
Net debt	**1,923**	**2,388**	**(465)**
Total non-financial assets	1,598	1,485	113
Net financial position	**(325)**	**(903)**	**578**

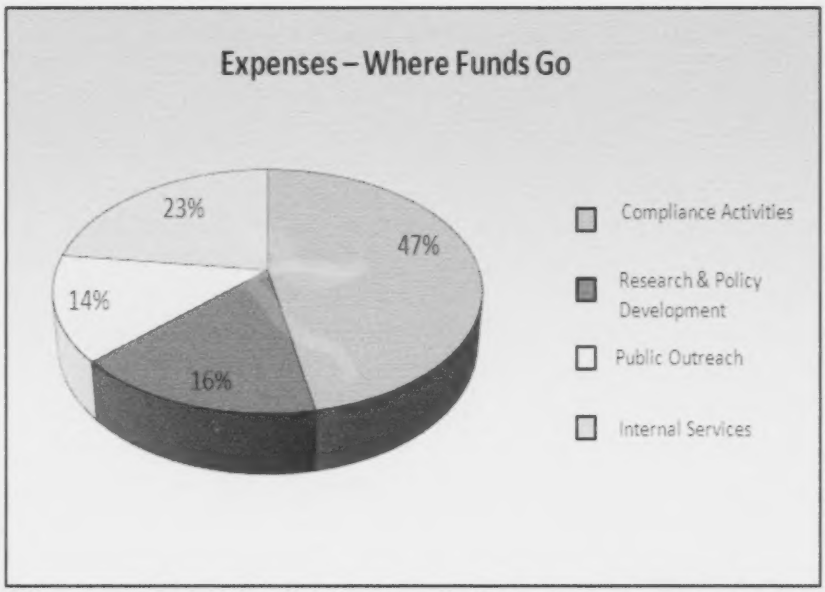
Total assets were $4,297K at the end of 2012-13, a decrease of $186K (4 percent) over the previous year's total assets of $4,483K. Of the total assets, the Consolidated Revenue Fund totaled $2,526K (59 percent) while $1,477K (34 percent) represented Tangible Capital Assets. Accounts Receivable and Advances and Prepaid Expenses accounted for 4 percent and 3 percent of total assets, respectively.





Total liabilities were $4,622K at the end of 2012-13, a decrease of $764K (14 percent) over the previous year's total liabilities of $5,386K. Accounts Payable/Accrued Liabilities represented the largest portion of the total liabilities, at $2,203K, or 48 percent. Employee Severance Benefits represented a smaller portion of liabilities, at $1,276K, or 28 percent of the total. Vacation pay and Compensatory Pay, and Accrued Employee Salaries accounted for 13 percent and 11 percent of total liabilities, respectively.

Total expenses for the OPC were $28,112K in 2012-13.The largest share of the funds, $13,228K, or 47 percent, was spent on Compliance Activities, while Internal Services accounted for 23 percent of the total. Research and policy development represented $4,461K, or 16 percent, of total expenses. Public Outreach efforts represented $3,893K of the expenditures, or 14 percent of the total. (Note that expenses by program activity might differ from those identified in the Public Accounts of Canada due to the methodology used to prorate the allocation in the financial statements as well as the inclusion of related party transactions.)



Audited Financial Statements

Information on OPC's audited financial statements can be found on its website.

Supplementary Information Tables

The OPC has two supplementary information tables: Greening Operations and Internal Audits and Evaluations. The electronic version of these supplementary tables is available on the OPC's website.

Approved internal audit and evaluation reports are available on the OPC's website.

Tax Expenditures and Evaluation Report

The tax system can be used to achieve public policy objectives through the application of special measures such as low tax rates, exemptions, deductions, deferrals and credits. The Department of Finance publishes cost estimates and projections for these measures annually in the *Tax Expenditures and Evaluations* publication. The tax measures presented in the Tax Expenditures and Evaluations publication are the sole responsibility of the Minister of Finance.

Section IV: Other Items of Interest

Organizational Contact Information

More information about the OPC, such as statutory annual reports and other publications, may be found on the OPC Website or by contacting the Office at:

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Telephone: 613-947-1698
Toll Free: 1-800-282-1376
Fax: 613-947-6850
TTY: 613-992-9190
Website: www.priv.gc.ca

Endnotes

i. Public Accounts of Canada 2012:
http://www.tpsgc-pwgsc.gc.ca/recgen/txt/72-eng.html

ii. Survey of businesses:
http://www.priv.gc.ca/information/por-rop/2012/por_2012_01_e.pdf

iii. Survey of Canadians:
http://www.priv.gc.ca/information/por-rop/2013/por_2013_01_e.asp

iv. Office of the Privacy Commissioner Main Estimates:
http://www.priv.gc.ca/information/02_05_e_e.asp#oag

v. Greening Operations Supplementary Table:
http://www.priv.gc.ca/information/dpr-rmr/2012-2013/st-ts01_e.asp

vi. Approved internal audit and evaluation reports for the OPC:
http://www.priv.gc.ca/information/02_05_e_e.asp#ia

vii. Department of Finance Tax Expenditures and Evaluation Report:
http://www.fin.gc.ca/purl/taxexp-eng.asp